

**REMARKS**

The applicants' representative thanks Examiner Goff for the Telephonic Examiner Interview on February 23, 2006 regarding draft amendments. As discussed and agreed upon, new claims 38-41 will be entered thereby allowing the pending claims to issue. The undersigned representative does not believe an additional Interview Summary is necessary.

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks. Claims 6, 9-15, 17-24, 26-30, and 32-41 are currently pending. Claims 5, 7, 8, 16, and 25 have been canceled without prejudice or disclaimer in this response. Claims 6, 9, 11, 14, 15, 17-22, 26, 28, 29, 32, 34, 35, and 37 have been amended. Claims 6, 9, 11, 14, 15, 17-22, 28, 29, 32, 34, 35, and 37 have been amended to change claim dependency. Claims 38-41 are added in this response. No new matter has been added. Applicant believes that the claim amendments put each of the pending claims in condition for allowance. Therefore, the claim amendments to the pending claims should be entered.

In the Final Office Action, the Examiner objected to claims 7, 25, and 26 "as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the base claim and any intervening claims." (Final Office Action, p. 19). The Examiner asserts that these claims are allowed for the reasons stated in paragraph 18 of the non-final Office Action which recites:

The prior art of record fails to teach or suggest a robotic tape applicator including a computer having programmed data to control a robotic arm attached to a tape applicator head wherein the tape applicator head comprises a nose at the end of the tape applicator head used to contact the tape to a workpiece, the nose including a cutting mechanism integrated and stored within the nose when the cutting mechanism is not in operation.

non-final Office Action, p. 17. New claim 38 replaces "allowable" claim 7 and base claim 5, however claim 38 does not include the tape braking mechanism including a spring-loaded lever to trap the tape as recited in claim 7. As agreed upon during the telephonic Examiner Interview, new claim 38 is allowable for the same reasons that the Examiner recites with respect to claim 7.

Similarly, new claim 40 replaces "allowable" claim 25 and base claim 8, however claim 40 does not include the use of the programmed data and proposed path as recited

in claim 8. As agreed upon during the telephonic Examiner Interview, new claim 40 is allowable for the same reasons that the Examiner recites with respect to claim 25.

Moreover, since new independent claims 38 and 40 are allowable, dependent claims 6, 9-15, 17-24, 26-30, 32-37, 39, and 41, respectively, are allowable for the same reasons.

**Rejection of claims 5, 8, 9, 15, 20, 21, and 32-37 under 35 USC § 102(b)**

Claims 5, 8, 9, 15, 20, 21, and 32-37 stand rejected under 35 U.S.C. § 102(b) as being anticipated by a Publication from Plastics Engineering titled “R U Reinforcing plastics with robots?” by Ermert *et al.* (“Ermert”). In order to put this patent application in condition for allowance, claims 5 and 8 are cancelled without prejudice or disclaimer and the dependencies of claims 9, 15, 20, 21, and 32-37 are changed to allowable claims 38 and 40, respectively. As a result, this rejection is moot in view of the claim amendments. Hence, for at least these reasons, the undersigned representative respectfully requests that the rejection of claims 5, 8, 9, 15, 20, 21, and 32-37 under 35 U.S.C. §102(b) be withdrawn.

**Rejection of claims 32-36 under 35 USC § 103(a)**

Claims 32-36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ermert. In order to put this patent application in condition for allowance, the dependencies of claims 32-36 were changed to allowable claims 38 and 40, respectively. As a result, this rejection is moot in view of the claim amendments. Hence, for at least these reasons, the undersigned representative respectfully requests that the rejection of claims 32-36 under 35 U.S.C. §103(a) be withdrawn.

**Rejection of claims 5, 8, 9, 15, 20, 21, and 32-37 under 35 USC § 103(a)**

Claims 5, 8, 9, 15, 20, 21, and 32-37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ermert in view of “Into the Future” by Milacron (“Milacron”). In order to put this patent application in condition for allowance, claims 5 and 8 are cancelled without prejudice or disclaimer and the dependencies of claims 9, 15, 20, 21, and 32-37 were changed to allowable claims 38 and 40, respectively. As a result, this rejection is moot in view of the claim amendments. Hence, for at least these reasons, the undersigned representative respectfully

requests that the rejection of claims 5, 8, 9, 15, 20, 21, and 32-37 under 35 U.S.C. §103(a) be withdrawn.

**Rejection of claims 5, 8-11, 15-18, 20, 21, 27, and 32-37 under 35 U.S.C. 103(a)**

Claims 5, 8-11, 15-18, 20, 21, 27, and 32-37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 4,382,836 to Frank (“Frank”) in view of Ermert and optionally Milcaron or alternatively over Ermert in view of Frank and optionally Milacron. In order to put this patent application in condition for allowance, claims 5, 8, and 16 are cancelled without prejudice or disclaimer and the dependencies of claims 9-11, 15, 17, 18, 20, 21, and 32-27 were changed to allowable claims 38 and 40, respectively. As a result, this rejection is moot in view of the claim amendments. Hence, for at least these reasons, the undersigned representative respectfully requests that the rejection of claims 5, 8-11, 15-18, 20, 21, 27, and 32-37 under 35 U.S.C. §103(a) be withdrawn.

**Rejection of claims 12 and 13 under 35 U.S.C. 103(a)**

Claims 12 and 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ermert, Frank, and optionally Milacron and in further view of U.S. Patent 4,885,981 to Roettger *et al.* (“Roettger”). In order to put this patent application in condition for allowance, claim 8 is cancelled without prejudice or disclaimer and the dependencies of claims 12 and 13 were changed to allowable claim 38. As a result, this rejection is moot in view of the claim amendments. Hence, for at least these reasons, the undersigned representative respectfully requests that the rejection of claims 12 and 13 under 35 U.S.C. §103(a) be withdrawn.

**Rejection of claim 6 under 35 U.S.C. 103(a)**

Claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Ermert as applied above, or Ermert and Milacron as applied above or Ermert, Frank, and optionally Milacron and in further view of U.S. Patent 5,342,647 to Heindel *et al.* (“Heindel”). In order to put this patent application in condition for allowance, claim 5 was cancelled without prejudice or disclaimer and the dependency of claim 6 was changed to allowable claim 38. As a result, this rejection is moot in view of the claim amendments. Hence, for at least these reasons, the

undersigned representative respectfully requests that the rejection of claim 6 under 35 U.S.C. §103(a) be withdrawn.

**Rejection of claim 14 under 35 U.S.C. 103(a)**

Claim 14 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Ermert as applied above, or Ermert and Milacron as applied above or Ermert, Frank, and optionally Milacron and in further view of U.S. Patent 5,462,633 to Manusch *et al.* ("Manusch"). In order to put this patent application in condition for allowance, claim 8 was cancelled without prejudice or disclaimer and the dependency of claim 14 was changed to allowable claim 40. As a result, this rejection is moot in view of the claim amendments. Hence, for at least these reasons, the undersigned representative respectfully requests that the rejection of claim 14 under 35 U.S.C. §103(a) be withdrawn.

**Rejection of claim 19 under 35 U.S.C. 103(a)**

Claim 19 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Ermert as applied above, or Ermert and Milacron as applied above or Ermert, Frank, and optionally Milacron and in further view of U.S. Patent 6,537,406 to Jensen *et al.* ("Jensen"). In order to put this patent application in condition for allowance, claim 8 was cancelled without prejudice or disclaimer and the dependency of claim 19 was changed to allowable claim 40. As a result, this rejection is moot in view of the claim amendments. Hence, for at least these reasons, the undersigned representative respectfully requests that the rejection of claim 19 under 35 U.S.C. §103(a) be withdrawn.

**Rejection of claim 28 under 35 U.S.C. 103(a)**

Claim 28 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Ermert as applied above, or Ermert and Milacron as applied above or Ermert, Frank, and optionally Milacron and in further view of U.S. Patent 6,189,587 to Cairns *et al.* ("Cairns"). In order to put this patent application in condition for allowance, claim 8 was cancelled without prejudice or disclaimer and the dependency of claim 28 was changed to allowable claim 40. As a result, this rejection is moot in view of the claim amendments. Hence, for at least these reasons, the

undersigned representative respectfully requests that the rejection of claim 28 under 35 U.S.C. §103(a) be withdrawn.

**Rejection of claims 29 and 30 under 35 U.S.C. 103(a)**

Claims 29 and 30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ermert as applied above, or Ermert and Milacron as applied above or Ermert, Frank, and optionally Milacron and in further view of U.S. Patent 5,738,749 to Grimshaw *et al.* (“Grimshaw”). In order to put this patent application in condition for allowance, claim 8 was cancelled without prejudice or disclaimer and the dependencies of claims 29 and 30 were changed to allowable claim 40. As a result, this rejection is moot in view of the claim amendments. Hence, for at least these reasons, the undersigned representative respectfully requests that the rejection of claims 29 and 30 under 35 U.S.C. §103(a) be withdrawn.

**Rejection of claims 5, 8, 9, 15-18, and 20-23 under 35 U.S.C. 103(a)**

Claims 5, 8, 9, 15-18, and 20-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Murray in view of Ermert and optionally Milcaron or alternatively over Ermert in view of Murray and optionally Milacron. In order to put this patent application in condition for allowance, claims 5 and 8 are cancelled without prejudice or disclaimer and the dependencies of claims 9, 15, 17, 18, and 20-23 were changed to allowable claims 38 and 40, respectively. As a result, this rejection is moot in view of the claim amendments. Hence, for at least these reasons, the undersigned representative respectfully requests that the rejection of claims 5, 8, 9, 15-18, and 20-23 under 35 U.S.C. §103(a) be withdrawn.

**Rejection of claims 19 and 24 under 35 U.S.C. 103(a)**

Claims 19 and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ermert, Murray, and optionally Milacron and in further view of Jensen. In order to put this patent application in condition for allowance, claim 8 was cancelled without prejudice or disclaimer and the dependencies of claims 19 and 24 were changed to allowable claim 40. As a result, this rejection is moot in view of the claim amendments. Hence, for at least these reasons, the undersigned representative respectfully requests that the rejection of claims 19 and 24 under 35 U.S.C. §103(a) be withdrawn.

**Double Patenting**

Claims 5, 8-10, 14, 20-23, 27, and 32-37 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 2, 4, and 5 of co-pending Application No. 10/991,853. Claims 5, 8-10, 14, 20-23, and 32-37 are dependent on new claims 38 and 40 which contain limitations from allowable claims 7 and 25, which are not rejected for double patenting. As a result, this rejection is moot in view of the claim amendments. Hence, for at least these reasons, the undersigned representative respectfully requests that the rejection of claims 5, 8-10, 14, 20-23, 27, and 32-37 under double patenting be withdrawn.

**CONCLUSION**

The foregoing is submitted as a full and complete Response to the non-final Office Action mailed October 25, 2005, and early and favorable consideration of the claims is requested. If the Examiner believes any informalities remain in the application which may be corrected by Examiner's Amendment, or if there are any other issues which may be resolved by telephone interview, a telephone call to the undersigned attorney at (202)508-5843 is respectfully solicited.

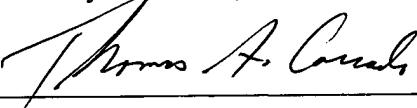
Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-1458, and please credit any excess fees to such deposit account.

Dated:

February 27, 2006

KILPATRICK STOCKTON LLP  
607 14<sup>th</sup> Street, Suite 900  
Washington, DC 20005-2018  
Phone 202-508-5800  
Fax 202-585-0045

Respectfully submitted,



Thomas A. Corrado  
Attorney for Applicant  
Registration No. 42,439